

**Special Magistrate WaterWorks 2011 Hearing
City Commission Meeting Room
Judge Floyd Hull, Presiding
September 28, 2009
10:00 A.M. – 10:31 A.M.**

Staff Present:

Brian McKelligett, Clerk of the Special Magistrate, Supervisor
Erin Peck, Secretary, WaterWorks 2011 Special Magistrate
Lisette Tarsia, WaterWorks 2011 Project Coordinator
Nathalie Soulougue, Administrative

Respondents and Witnesses:

CE09031979; CE09031980; CE08040950; CE09031981; CE08040951: Lee Williams, owner
CE09041107: Sharon McGuire, owner
CE09040818: Dylan Lagi, owner
CE08100949: Paulo Bezerra, owner
CE09021002: Althia Grace Thompson, owner
CE08100971: Scott Bryan, owner
CE08101809: Michael Rizzo, owner
CE09020993: Todd Erwin, owner
CE09040602: Hopeton Doctor, owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 10:00 A.M.

Case: CE08100971

Scott L Bryan
1660 Southwest 22 Avenue

This case was first heard on 11/24/08 to comply by 12/24/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$8,100 and the City was requesting imposition of a \$1,160 fine.

Mr. Scott Bryan, owner, agreed to the reduced fine.

Judge Hull imposed the \$1,160 fine.

Case: CE09021002

Althia Thompson
1573 Northwest 15 Terrace

This case was first heard on 4/27/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,500 and the City was requesting imposition of a \$1,160 fine.

Ms. Althia Thompson, owner, explained she had worked diligently to comply and kept in touch with Inspector Steyn, but the plumber had experienced delays. She had also been unable to get on the August agenda to request an extension.

Judge Hull imposed the \$1,160 fine.

Case: CE09040818

Request for extension

Dylan & Jeff Lagi
1224 Southwest 28 Way

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$500.

Mr. Dylan Lagi, owner, requested an extension to locate funds to pay for the work.

Judge Hull granted a 60-day extension.

Case: CE09040602

Hopeton G Doctor & Myrtle E Doctor
2711 Southwest 8 Street

This case was first heard on 5/18/09 to comply by 6/17/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$600 and the City was recommending no fine be imposed.

Judge Hull imposed no fine.

Case: CE08101809

Frank, Nola & Michael Rizzo &
Ely Banaim
1701 Northwest 16 Court

This case was first heard on 1/26/09 to comply by 2/25/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$6,000 and the City was requesting imposition of a \$1,010 fine

Mr. Michael Rizzo, owner, stated he had not received notice until March 30 and as soon as he was aware of this he had acted to comply. He had requested an extension in April because his plumber was still performing the work. Mr. Rizzo confirmed that he had complied within the two-week extension Judge Hull had granted in April.

Mr. McKelligett confirmed that the first notice had been sent to another address, per the property appraiser's records. The address had been corrected after the property was posted and Mr. Rizzo provided his current address. Mr. McKelligett confirmed the property was complied on May 8, 2009. Fines had accrued between February and April.

Judge Hull imposed no fine.

Case: CE08100949

Paulo R Bezerra, 1/2 Interest
Maritza Bezerra
1327 Southwest 22 Avenue

This case was first heard on 1/26/09 to comply by 4/26/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$9,000 and the City was requesting imposition of a \$410 fine.

Mr. Paul Bezerra, owner, stated he was unemployed and late on his mortgage.

Judge Hull imposed the \$410 fine.

Case: CE09020993

Todd Erwin 1/2 Interest
Christine Erwin
2010 Southwest 23 Terrace

This case was first heard on 4/27/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$5,200 and the City was requesting imposition of a \$960 fine.

Mr. Todd Erwin, owner, said he was experiencing financial issues, and the City had damaged his property during this project.

Judge Hull imposed the \$960 fine.

Case: CE09041107

Request for extension

James W & Sharon H McGuire
1218 Southwest 29 Terrace

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$500.

Ms. Sharon McGuire, owner, said she had hired a contractor and requested a four to six-week extension.

Judge Hull granted a six-week extension, during which time no fines would accrue.

The following five cases for the same owner were heard together:

Case: CE09031979

Request for extension

Will Lauren Enterprises LLC
200 Southwest 11 Avenue

This case was first heard on 8/24/09 to comply by 9/28/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 9/29/09.

Mr. Lee Williams, owner, reminded Judge Hull that when he last appeared, Judge Hull had granted him an extension to try to work out an agreement with the City. He reported the City did not want to allow him to connect the sewer. Mr. Williams said he was "borderline bankruptcy." He stated the City had informed him that someone would appear to explain the situation to Judge Hull.

Inspector Tarsia had not heard from the City Attorney's office, but said she would not object to a 90-day extension.

Judge Hull granted a 90-day extension during which time no fines would accrue.

Case: CE09031980

Request for extension

Will Lauren Enterprises LLC
230 Southwest 11 Avenue

This case was first heard on 8/24/09 to comply by 9/28/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 9/29/09.

Judge Hull granted a 90-day extension during which time no fines would accrue.

Case: CE08040950

Request for extension

Will Lauren Enterprises LLC
1022 Southwest 2 Court

This case was first heard on 6/16/08 to comply by 9/14/08. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$19,100.

Judge Hull granted a 90-day extension during which time no fines would accrue.

Case: CE09031981

Request for extension

Will Lauren Enterprises LLC
1025 Southwest 2 Court

This case was first heard on 8/24/09 to comply by 9/28/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 9/29/09.

Judge Hull granted a 90-day extension during which time no fines would accrue.

Case: CE08040951

Request for extension

Will Lauren Enterprises LLC
1116 Southwest 1 Street

This case was first heard on 6/16/08 to comply by 9/14/08. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$19,100.

Judge Hull granted a 90-day extension during which time no fines would accrue.

Case: CE09021007

CVM 1 REO LLC
C/O CVM Partners 1
717 Southwest 2 Court # 1/2

This case was first heard on 4/27/09 to comply by 5/27/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$5,800 and the City was requesting imposition of a \$1,460 fine.

Judge Hull imposed the \$1,460 fine.

Case: CE09021009

CVM 1 REO LLC
C/O CVM Partners 1
721 Southwest 2 Court

This case was first heard on 4/27/09 to comply by 5/27/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$5,300 and the City was requesting imposition of a \$1,460 fine.

Judge Hull imposed the \$1,460 fine.

Case: CE08101045

James C Herron
1401 Southwest 24 Court

This case was first heard on 11/24/08 to comply by 12/24/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$13,100 and the City was requesting imposition of a \$1,210 fine.

Judge Hull imposed the \$1,210 fine.

Case: CE08101046

James C Herron
1407 Southwest 24 Court

This case was first heard on 1/26/09 to comply by 4/26/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$6,900 and the City was requesting imposition of a \$1,210 fine.

Judge Hull imposed the \$1,210 fine.

Case: CE08101714

Olince Fraus, 1/2 Interest each
Eronel Fraus
1509 Northwest 16 Lane

This case was first heard on 1/26/09 to comply by 3/27/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,300 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$9,300 fine, which would continue to accrue until the property complied.

Case: CE09020973

Ian V Pullen
1600 Southwest 20 Avenue

This case was first heard on 4/27/09 to comply by 7/26/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$800 and the City was requesting no fine be imposed.

Judge Hull imposed no fine.

Case: CE09020974

Gary Lee Moss, 1/3 Interest,
Matthew Moss & A S Ruddy
1600 Southwest 23 Avenue

This case was first heard on 4/27/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting a 90-day extension because the owner was in the grant process.

Judge Hull granted a 90-day extension, during which time no fines would accrue.

Case: CE08101799

Medicoeur Melus
1632 Northwest 15 Terrace

This case was first heard on 3/23/09 to comply by 4/22/09. Violations were as noted in the agenda. The property was not complied and the City was requesting a 90-day extension because the owner was in the grant process.

Judge Hull granted a 90-day extension, during which time no fines would accrue.

Case: CE09020978

Wanda Drozdovitch Le Morin
1650 Southwest 23 Terrace

This case was first heard on 4/27/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting a 90-day extension because the owner was in the grant process.

Judge Hull granted a 90-day extension, during which time no fines would accrue.

Case: CE08101900

Betty Moment 1/2 Interest
Valerie Freeman
1909 Northwest 16 Street

This case was first heard on 1/26/09 to comply by 2/25/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting a 90-day extension because the owner was in the grant process.

Judge Hull granted a 90-day extension, during which time no fines would accrue.

Case: CE09020991

Donald W & Stacey M Thomas
1930 Southwest 23 Avenue

This case was first heard on 4/27/09 to comply by 6/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,300 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$9, 300 fine, which would continue to accrue until the property complied.

Case: CE09040596

Hector Carey
2765 Southwest 7 Street

This case was first heard on 5/18/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,200 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$4,200 fine, which would continue to accrue until the property complied.

Case: CE09040681

Julianna Louise Acker
3036 Southwest 10 Street

This case was first heard on 6/15/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting a 90-day extension because the owner was in the grant process.

Judge Hull granted a 90-day extension, during which time no fines would accrue.

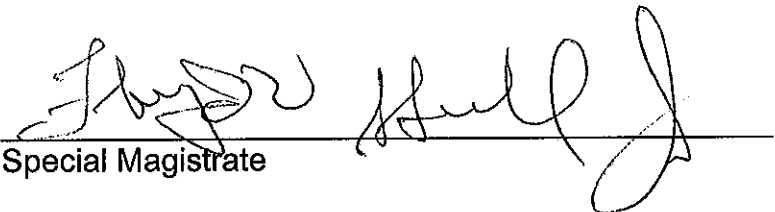
Cases Withdrawn

Mr. McKelligett announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE09040826

CE09040664

There being no further business, the hearing was adjourned at **10:31** a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by J. Opperee, Prototype Services